Karnataka High Court judgement on National Pharmaceutical Policy

3151. SHRI JIBON ROY: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that Karnataka High Court, in its judgement dated 12th November, 2002 has declared National Pharmaceutical Policy, 2002 arbitrary and violative of the Constitution and Essential Commodities Act; and

(b) if so, the reaction of Government thereto?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI SUKHDEV SINGH DHINDSA): (a) and (b) The High Court of Karnataka in its judgement dated the 12th Nov., 2002 has found that the Pharmaceutical Policy—2002 is arbitrary and unreasonable and is violative of relevant provisions of the Essential Commodities Act, 1955 and Article 14 and 21 of the Constitution only to the extent of the price control mechanism adopted in the policy to determine drugs under price control. It has been decided to appeal against the judgement.

Demand of fertilizers

3152. SHRI RAJKUMAR DHOOT: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the total demand of fertilizers per annum and the quantity produced in India; and

(b) how the gap of supply due to closure of the Sindri and Durgapur units is proposed to be met?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI TAPAN SIKDAR): (a) The demand and production of fertilizers in nutrient terms during the years 2001-02 and 2002-03 is as under: